

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN VOLTARELLI,

Plaintiff,

v.

IMMACULATA UNIVERSITY,

Defendant.

CIVIL ACTION NO. 21-1068

**ORDER**

**AND NOW**, this 14th day of July 2022, upon consideration of Defendant's Second Motion to Dismiss [Doc. No. 13] and the related briefing, it is hereby **ORDERED** that the Motion is **GRANTED in part** and **DENIED in part**, as follows:

1. Defendant's motion to dismiss Plaintiff's breach of contract claim is **GRANTED** with respect to Defendant's grading policy, handbook provision concerning the resolution of issues, and handbook provision regarding the final grading decision for a student's practicum, and Defendant's motion is **DENIED** with respect to the handbook provision concerning the SRC.
2. Defendant's motion to dismiss Plaintiff's common law due process, promissory estoppel, and *quantum meruit* claims is **GRANTED**.
3. Defendant shall file its answer within 14 days.

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe

**CYNTHIA M. RUFÉ, J.**